

FILED

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

2015 JUN -9 P 2:15

GLENN H. STEPHENS, III,

)

Plaintiff,

)

vs.

)

TINA QUARLES,

)

Defendant.

)

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

Civil Action No. 1:15cv 726
LMB/IDD
(Formerly Falls Church General
District Court, No. GV15-85)

NOTICE OF REMOVAL

TO: Clerk of the Court
Falls Church General District Court
City Hall
300 Park Avenue, Room 107E
Falls Church, Virginia 22046-3350

Glenn H. Stephens, III
210 E. Fairfax Street, Apt 302
Falls Church, Virginia 22046
Plaintiff pro se

PLEASE TAKE NOTICE that on June 9, 2015, the United States of America, through its undersigned counsel, filed with the Clerk of the United States District Court for the Eastern District of Virginia (Alexandria Division), the instant notice of the removal of this matter from the Falls Church General District Court to this Court. As grounds for this removal, the United States provides as follows:

1. *Pro se* plaintiff Glenn H. Stephens, III was assigned as the employee of a private contractor to the United States Department of Agriculture (“USDA”)’s Office of Adjudication, Office of the Assistant Secretary for Civil Rights, as an EEO Specialist. At the time the presently operative warrant in debt in this action was filed, defendant Tina Quarles was assigned

as Senior EEO Specialist in the USDA's Office of Adjudication. Stephens has now brought against Quarles – through the instant action filed in the Small Claims Division, General District Court for Falls Church – one claim of defamation *per se*. Warrant in Debt (attached as Exhibit A).

2. Pursuant to 28 U.S.C. § 2679(d), the United States Attorney for the Eastern District of Virginia has certified that Quarles was acting within the scope of her employment as an employee of the Government at the time of the events giving rise to plaintiff's warrant in debt. Certification (attached as Exhibit B). Accordingly, the instant action is properly removable pursuant to 28 U.S.C. § 2679(d)(2), which provides that

[u]pon certification by the Attorney General that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the claim arose, any civil action or proceeding commenced upon such claim in a State court shall be removed . . . to the district court of the United States for the district and division embracing the place in which the action or proceeding is pending.

Id. The City of Falls Church, Virginia lies within this Court's geographic jurisdiction. See id. § 127(c).

3. Attached to this notice of removal is plaintiff's warrant in debt, as Exhibit A, which constitutes all the papers filed in this action of which the United States is aware.

4. A copy of this Notice of Removal is being filed with the Clerk of the Falls Church General District Court pursuant to 28 U.S.C. § 1446(d).

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Respectfully submitted,

DANA J. BOENTE
UNITED STATES ATTORNEY

Date: June 9, 2015

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Alexandria, Virginia 22314
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ATTORNEYS FOR THE UNITED STATES

OF COUNSEL:
Brandi A. Peters
Senior Counsel
U.S. Department of Agriculture

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon *pro se* plaintiff by first-class mail to the following address:

Glenn H. Stephens, III
210 E. Fairfax Street, Apt 302
Falls Church, Virginia 22046
Plaintiff pro se

Date: June 9, 2015

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